

CRAVEN COUNTY

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SUBDIVISION ORDINANCE  
DRAFT

1984

*North Carolina Coastal Zone Management Program*

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1 DRAFT

2 CRAVEN COUNTY SUBDIVISION ORDINANCE

3 ARTICLE I

4 BASIS, 1984

5 1. Authority and Purpose

6 This Ordinance is entitled Subdivision Ordinance for the  
7 County of Craven and may be cited as the Subdivision  
8 Ordinance.

9 This Ordinance is adopted pursuant to Chapter 153A,  
10 Article 18, of the General Statutes of North Carolina for the  
11 purpose of supporting and guiding the proper subdivision and  
12 resubdivision of land within the subdivision jurisdiction of  
13 Craven County in order to promote the public health, safety  
14 and general welfare of its citizens and to promote the  
15 orderly growth of the County. Chapter 153A, Section 335  
16 defines "subdivision" as "all divisions of a tract or parcel  
17 of land into two or more lots, buildings sites, or other  
18 divisions for the purpose of sale or building development  
19 (whether immediate or future) and includes all division of  
20 land involving the dedication of a new street or a change in  
21 existing streets; however, the following is not included  
22 within this definition and is not subject to any regulations  
23 enacted pursuant to this Part:

24 (1) The combination or recombination of portions  
25 of previously platted lots if the total number of lots  
26 is not increased and the resultant lots are equal to or  
27 exceed the standards of the county as shown in its  
28 subdivision regulations;

29 (2) The division of land into parcels greater than  
30 10 acres if no street right-of-way dedication is  
31 involved;

32 (3) The public acquisition by purchase of strips  
33 of land for widening or opening streets; and

34 (4) The division of a tract in single ownership  
35 the entire area of which is no greater than two acres  
36 into not more than three lots, if no street right-of-way  
37 dedication is involved and if the resultant lots are  
38 equal to or exceed the standards of the county as shown  
39 by its subdivision regulations.

40    2.   Jurisdiction

41           This Ordinance shall govern each and every subdivision  
42 of land within Craven County except that land within the  
43 subdivision jurisdiction of any municipality, unless such  
44 municipality shall have by resolution formally requested the  
45 County to enforce this Ordinance within the municipality's  
46 jurisdiction.

47                                   ARTICLE II

48                                   COMPLIANCE

49    1.   Approval of Plat

50           No subdivision plat of land within the subdivision  
51 jurisdiction of Craven County shall be filed or recorded by  
52 the Register of Deeds for Craven County until it shall have  
53 been submitted and approved in accordance with this Ordinance  
54 and until such approval is entered on the face of the final  
55 plat by the Chairman of, or other member authorized by, the  
56 Craven County Subdivision Review Board, hereinafter known as  
57 the "Board".

58    2.   Permits

59           No building permits shall be issued for, nor shall  
60 water, sewer, or other County facilities or services be  
61 extended to or connected with, any subdivision for which a  
62 plat is required to be approved until the General Development  
63 Plan has been approved by the Board.

64                                   ARTICLE III

65                                   GENERAL REQUIREMENTS FOR SUBDIVISIONS

66    1.   Suitability of Land

67           Where land to be subdivided is found by the Board to be  
68 subject to the conditions of flooding, improper drainage,  
69 severe erosion, slides, or to have other characteristics  
70 which pose an ascertainable danger to health, safety, or  
71 property, the subdivider shall take measures necessary to  
72 correct said conditions and to eliminate said dangers. In  
73 making such determinations the Board shall take into  
74 consideration official U. S. Department of Housing and Urban  
75 Development Flood Hazard Boundary Maps, the Craven County  
76 Soil Survey, and recommendations of the Corps of Engineers,  
77 the Soil Conservation Service, U.S.D.A., and the Craven  
78 County Board of Health. Any findings made by the Board  
79 pursuant to this section and the basis for said findings  
80 shall be in writing and recorded in the minutes of the Board.

81 When the land to be subdivided falls within an area of  
82 Environmental Concern, the following shall be shown on such  
83 map: When this plat was prepared, the areas shown as areas of  
84 Environmental Concern on the plat met the standards of the  
85 North Carolina Coastal Resources Commission for such areas.  
86 A Coastal Area Management Act permit may be required for any  
87 development within those areas.

## 88 2. Streets

89 The General Development Plan must be accompanied by  
90 evidence satisfactory to the Board as to the proposed method  
91 of street access, as prescribed herein, to all lots to be  
92 platted, which evidence shall provide detailed information as  
93 to proposed elevations, cut and fill, drainage, traffic  
94 circulation and other construction details required by a  
95 municipality, the North Carolina Secondary Roads Council  
96 and/or the North Carolina Department of Transportation (both  
97 of which are hereinafter referred to as "D.O.T."), or by the  
98 Board. The installation of all streets, in accordance with  
99 requirements set forth below, shall be required prior to  
100 final plat approval unless otherwise permitted pursuant to  
101 Article V. Further, the subdivider shall meet all  
102 requirements of North Carolina General Statute Section 136-  
103 102.6.

### 104 2.01 Municipal Streets

105 All streets to be built in an incorporated municipality  
106 having adopted this Ordinance shall be constructed as  
107 described on the approved General Development Plan and shall  
108 meet the minimum road construction standards of the  
109 municipality so that said streets, when completed, are  
110 eligible for maintenance by said municipality.

### 111 2.02 Public Streets

112 Unless otherwise designated by the Board pursuant to  
113 Section 2.03 of this Article, all streets to be built outside  
114 an incorporated municipality shall be designed, built, and  
115 dedicated in accordance with existing applicable policies and  
116 standards of D.O.T. so that said streets, when completed, are  
117 eligible for acceptance on the State Highway System.

### 118 2.03 Private Streets

119 Upon request the Board may permit certain streets to be  
120 designated as private for the purposes of providing street  
121 access to the following:

122 (a) Residential subdivisions with streets designed  
123 to provide exclusive access only to said subdivision; or

124 (b) Minor subdivisions with a street serving too  
125 few lots for inclusion into the North Carolina Secondary  
126 Road System.

127 Private streets may be established as follows:

128 2.031 Private Residential Streets

129 If an owners' association is established for perpetual  
130 ownership and maintenance of streets and rights-of-way  
131 within, and/or which provide exclusive access to a  
132 subdivision, then said streets and rights-of-way may be  
133 designated as "private residential streets". In such case  
134 the subdivider shall dedicate at least a 50 foot right-of-way  
135 to said owner's association but shall not be required to  
136 dedicate street right-of-way for public use. All private  
137 residential streets shall be designed, built, and dedicated  
138 as shown on the approved General Development Plan in  
139 accordance with standards set forth in the following section.

140 2.032 Private Residential Street Standards

141 The plans for all private residential streets shall be  
142 prepared and/or certified by a registered engineer or  
143 surveyor and shall meet the following standards:

144 (a) Drainage

145 Objective: The roadway shall be aligned and  
146 constructed such that adequate drainage is provided from  
147 the surface and subsurface of said roadway, as well as  
148 across said roadway from adjacent property.

149 Standards: Minimum storm sewer or drainage way  
150 Capacity - 10 year storm  
151 Minimum cross drainage  
152 Capacity - 25 year storm

153 (b) Width and alignment:

154 Objective: The roadway, including shoulders, shall  
155 be of sufficient width and design to provide for  
156 travelways, emergency pullover space, parking space, and  
157 a berm or shoulder adequate to accommodate expected  
158 traffic conditions.

159 Further, the alignment of said roadway including  
160 grades, horizontal curves, vertical curves, and the  
161 super elevation in each curve shall be designed to  
162 provide for safe traffic movement at the intended design  
163 speed as well as to provide for slight distance which  
164 will insure adequate stopping time.

Standards:

<u>Type Street</u>	<u>Max. No. of Dwelling Units Served (D.U.)</u>	<u>Minimum Surface No</u>	<u>Width Curb</u>	<u>Surfacing</u>	<u>Max. Grade</u>	<u>Design Speed</u>	<u>Stopping Sight Dist.</u>
Cul-de-sac or loop	less than 15 D.U.	20'	20'	Gravel	15%	20 mph	100'
Residential street	15-60 D.U.	20'	24'	Pavement	12%	30 mph	200'
Residential collector	greater than 60 D.U.	20'	28'	Pavement	8%	35 mph	250'

165 Minimum Width of Shoulder of Berm:

166 Ditch = 6' shoulder

167 Swale = 4' shoulder

168 Curb = 3' berm

169 (c) Intersections:

170 Objectives: All intersections shall be well marked  
171 and shall have an adequate stopping sight distance.  
172 Grades at intersections should be minimized and the  
173 angle of intersecting streets should be as close to 90  
174 degrees as possible.

175 Standards:

176 Minimum angle of 60 degrees

177 Maximum grade at intersection 5 percent

178 (d) Material and Procedure Specifications:

179 All bridges, culverts, curbing, surfacing  
180 materials, and construction practices and procedures  
181 shall meet D.O.T. specifications.

182 Where a gravel surface is permitted pursuant to Section  
183 2.032 (b) above, the procedure and materials shall be the  
184 same as those prescribed by D.O.T. for hard surfaced streets  
185 except that the paved surfacing may be omitted.

186 All street plans shall be reviewed by the County  
187 Engineer prior to approval of the General Development Plan.  
188 The Board may, upon written application of the subdivider,  
189 grant minor variances from stated standards provided said  
190 variances are consistent with the stated objectives. Prior  
191 to considering said application the Board shall refer it to  
192 the staff and County Engineer for comment.

193 2.033 Private Minor Streets

194 Certain streets and rights-of-way may be designated as  
195 private minor streets if:

196 (a) The proposed street provides access to no more  
197 than four lots, proposed or existing, and intersects  
198 with a public street; and

199 (b) Provisions satisfactory to the Board or its  
200 staff are made for:

201 (1) Continuing common use of the street by  
202 property owners to be served by said street; and



203 (2) Access for public service and emergency  
204 vehicles; and

205 (3) Continuing private maintenance of said  
206 street to provide for safe passage of expected  
207 traffic.

208 An easement or right-of-way at least 30 feet wide for  
209 the full length of the street must be provided and additional  
210 width may be required by the Board if necessary for drainage  
211 or utilities. Said street shall be located, designed, and  
212 built such that it provides a safe intersection with a public  
213 street and safe passage of public service and emergency  
214 vehicles.

215 2.04 Conformity to Surrounding Development

216 The proposed street layout within a subdivision shall be  
217 coordinated with the existing street system of the  
218 surrounding area and, where possible, existing principal  
219 streets shall be extended.

220 No existing access to adjacent properties may be closed  
221 which would render said adjacent property inaccessible,  
222 unless other arrangements are made to render comparable  
223 access to said property. In no case shall a subdivision be  
224 developed such that an adjacent property becomes completely  
225 unaccessible.

226 2.05 Frontage Streets

227 Where a subdivision adjoins a heavily traveled street,  
228 in the interest of highway safety, the subdivider may be  
229 required by the Board to provide either a frontage street  
230 parallel to said heavily traveled street or reverse frontage  
231 on a smaller street. Where reverse frontage is required,  
232 private driveways shall not have direct access to said  
233 heavily traveled street.

234 2.06 Pedestrian Ways

235 Streets shall be designed or walkways provided to assure  
236 safe and reasonable access to parks, playgrounds, schools,  
237 and other places of public assembly. Crosswalks may be  
238 required by the Board.

239 2.07 Blocks

240 The length, width and shape of blocks shall be designed  
241 to provide for the following:

242 (a) Adequate building sites for the proposed use;  
243 and

244 (b) Needs for vehicular and pedestrian  
245 circulation; and

246 (c) Control and safety of traffic; and

247 (d) Convenient access to scenic overlooks and  
248 water areas.

249 However, at no time shall block lengths exceed one  
250 thousand four hundred (1,400) feet or be less than four  
251 hundred (400) feet.

## 252 2.08 Service Ways

253 Service ways and/or fire lanes shall be provided for all  
254 lots designed for commercial or industrial purposes and shall  
255 be adequate to provide reasonable access for all necessary  
256 service vehicles.

## 257 3. Names of Subdivisions and Streets

258 The name of a subdivision shall neither duplicate nor  
259 closely approximate the name of an existing subdivision with  
260 the County.

261 Proposed streets which are obviously in alignment with  
262 existing streets shall be given the same name as the existing  
263 street. The assignment of new names is subject to Board  
264 approval, and duplication of existing names, phonetically or  
265 otherwise, shall be avoided. Street markers of a design  
266 approved by the Board shall be installed at each intersection  
267 in uniform locations.

## 268 4. Water and Sewer Systems

269 The General Development Plan shall be accompanied by  
270 evidence satisfactory to the Board of the proposed method and  
271 system of water supply and sanitary sewage collection and  
272 disposal for all lots intended for a use requiring domestic  
273 water supply and/or sanitary sewer. Except in the case of  
274 individual septic tanks, the installation of all said systems,  
275 in accordance with plans to be approved as set forth below,  
276 shall be required prior to final plat approval unless  
277 otherwise permitted pursuant to Article V.

### 278 4.01 Public Systems

279 Where the proposed system is to be connected to one or  
280 more public systems, as defined in Appendix B, the General  
281 Development Plan shall be accompanied by a complete set of  
282 construction plans for the proposed system. Said plans shall  
283 have been approved by the engineer of the public system(s)  
284 and any appropriate State agency prior to their approval by  
285 the Board.

286    4.02   Community Systems

287           Where the proposed system is a community system as  
288 defined in Appendix B, the General Development Plan shall be  
289 accompanied by the approval of, and documents required by,  
290 the appropriate agency as set forth in Appendix B. If, at any  
291 time, the proposed system is to be connected to any public  
292 system, all requirements of Section 4.01 above, shall apply.

293    4.03   Individual Systems

294           Where the proposed system is an individual system, as  
295 defined in Appendix B, the General Development Plan shall be  
296 accompanied by the approval of the Craven County Health  
297 Department and shall show that the subdivider has complied  
298 with all ordinances and regulations of the Craven County  
299 Board of Health and applicable State law. The statement from  
300 the Health Department shall show that each lot has adequate  
301 land area and soil conditions suitable to accommodate the  
302 proposed methods of water supply and sewage disposal and  
303 shall be based upon a field investigation as approved by the  
304 Craven County Health Department.

305    4.04   Public System Extensions

306           The Board may require any lot to be served by public  
307 water and/or sewer systems if such service can reasonably be  
308 provided by extending existing systems.

309    4.05   Fire Hydrants

310           Where a water line six inches or greater in diameter is  
311 required in a public or community system, fire hydrants shall  
312 be installed on said line. The hydrants shall be spaced so  
313 that coverage to all building sites along said line may be  
314 provided with not more than 500 feet of hose and shall be  
315 located to facilitate access, hose laying and drainage.

316    5.   Storm Water Drainage

317           The General Development Plan shall be accompanied by  
318 evidence satisfactory to the Board as to the proposed method  
319 of providing for storm water drainage. It shall be the  
320 responsibility of the subdivider to provide a drainage system  
321 which is designed to meet the following objectives:

322                   (a) Provide for adequate drainage from all roads,  
323                   parking lots, and other developed areas; and

324                   (b) Provide a suitable building area on each lot  
325                   intended for building development which is safe from  
326                   inundation, erosion, or subsidence; and

327 (c) Prevent both the unnecessary impoundment of  
328 natural drainage ways and the creation of areas of  
329 standing water; and

330 (d) Insure that existing drainage ways serving  
331 adjacent properties are maintained; and

332 (e) Insure that natural runoff levels are not  
333 substantially increased in order to prevent harmful  
334 flooding downstream and to maintain desirable  
335 groundwater levels; and

336 (f) Prevent inundation of surface water into  
337 sanitary sewer systems; and

338 (g) Protect all roads, driveways, utilities and  
339 other types of development from damages caused by  
340 improper drainage control.

341 The design of said system shall be subject to approval  
342 of the Board and the installation of said system shall be  
343 required prior to final plat approval pursuant to Article V  
344 of this Ordinance.

345 Easements for all drainage ways shall be provided as  
346 required by Article IV, Section 2.02 of this Ordinance. The  
347 Board shall have the authority to require curb and gutter,  
348 underground drainage, and other improvements it finds  
349 necessary to meet the above objectives. In all subdivisions  
350 outside an incorporated municipality with new street  
351 right-of-way to be dedicated to the public, the District  
352 Engineer of D.O.T. must review and certify his approval of  
353 drainage plans pursuant to Article V, Section 4.02 of this  
354 Ordinance.

#### 355 6. Sedimentation Control

356 In order to prevent soil erosion and sedimentation  
357 pollution of streams, springs, flat water bodies, or other  
358 drainage networks, the subdivider shall show proof of an  
359 erosion and sediment control plan which has been approved by  
360 the State or local agency having jurisdiction in accordance  
361 with The Rules and Regulations for Erosion and Sediment  
362 Control as adopted by the North Carolina Sediment Control  
363 Commission, April, 1974, as amended.

#### 364 7. Surveying and Placement of Monuments

365 "The Manual of Practice for Land Surveying", as adopted  
366 by the North Carolina Board of Registration for Professional  
367 Engineers and Land Surveyors, under provisions of Chapter 89  
368 of the North Carolina General Statutes, shall apply when  
369 conducting surveys in order to determine the accuracy for

370 surveys and placement of monuments, control corners, markers,  
371 and property corner ties, and to determine other standards  
372 and procedures governing the practice of land surveying for  
373 subdivisions.

374 8. Air Quality

375 As required by Chapter 143, Article 21, of the North  
376 Carolina General Statutes, all subdivisions of more than 500  
377 units at a density of more than 7,680 persons per square mile  
378 (12 persons/acre) shall show proof of compliance with Air  
379 Quality guidelines established by the Environmental  
380 Management Commission of North Carolina Department of Natural  
381 and Economic Resources.

382 9. Other Improvements

383 The subdivider is encouraged to consider this section as  
384 he develops plans for any subdivision. Furthermore, the  
385 Board shall recommend to the Board of Commissioners policies  
386 and standards relating to the location, design, installation,  
387 and reservation of the following:

388 (a) Underground electrical, telephone,  
389 television, and other distribution lines; and

390 (b) Measures providing for safe pedestrian  
391 movement throughout the subdivision either within the  
392 street right-of-way or within reserved pedestrian ways;  
393 and

394 (c) Outdoor lighting at intersections;  
395 turnarounds; or other locations; and

396 (d) Areas of significant scenic, historical,  
397 cultural, or ecological value; and

398 (e) Land for recreation, school sites, or other  
399 public facilities.

400 ARTICLE IV

401 DESIGN STANDARDS

402 THE FOLLOWING STANDARDS SHALL BE CONSIDERED AS MINIMUM  
403 REQUIREMENTS FOR ALL SUBDIVISIONS OR RESUBDIVISIONS:

404 1. Lots

405 The lot size, width, depth, shape, orientation, and  
406 building setback lines shall be appropriate for the location  
407 of the subdivision and for the type of development and use  
408 contemplated and shall be sufficient to accommodate proposed  
409 utilities.

410 1.01 Single-Family Residential Lots

411 Any lot(s) in a subdivision intended for the development  
412 of a detached, single-family dwelling unit(s) shall comply  
413 with the following requirements:

414 1.011 Area

415 In order to provide adequate land area and to  
416 accommodate the use of septic tanks and private sources of  
417 water in a safe, healthful manner, the following requirements  
418 shall be met:

419		Minimum	
420		<u>Lot Area</u>	<u>Approx.</u>
421	(a)	Lots served by	
422		both public sewer	
423		and public water	8,000 sq. ft. 1/5 acre
424	(b)	Lots served by	
425		only public	
426		sewer	10,000 sq. ft. 1/4 acre
427	(c)	Lots served by	
428		only public	
429		water	20,000 sq. ft. 1/2 acre
430	(d)	Lots served by	
431		neither public	
432		sewer nor public	
433		water	30,000 sq. ft. 3/4 acre

434 (Community water or sewer systems as defined in Appendix B  
435 are considered "public" systems in this Section).

436 The Craven County Health Department must, according to State  
437 law and Ordinances of the Craven County Board of Health,  
438 require larger lot sizes if necessary to protect public  
439 health and insure proper operation of septic tanks and wells.  
440 The Board may, upon application of the subdivider, permit  
441 lots smaller than the minimums set forth herein, provided  
442 that the proposed smaller lot size is approved by the Craven  
443 County Health Department. Even though said Department  
444 approves said proposed smaller lot size, the Board is not  
445 required to approve said application.

446 1.012 Width

447 Each lot shall have a minimum width of 70 feet across  
448 the center of the proposed building site and a minimum at the  
449 street right-of-way line of 70 feet. In the event the lot  
450 fronts on a cul-de-sac, the minimum lot width fronting on the

451 street may be 35 feet. However, a minimum of 25 feet may be  
452 permitted at the street right-of-way at the discretion of the  
453 Board. Corner lots shall have an extra width of 10 feet to  
454 permit adequate setback from side streets.

455 1.013 Depth

456 Each lot shall have an average depth of at least one  
457 hundred (100) feet. For any lot of less than one acre, the  
458 average depth shall be no greater than 2.5 times its average  
459 width, except where that portion of the lot which exceeds  
460 this requirement (1) is used for easements, or (2) is set  
461 aside for the purpose of providing a buffer area, or (3) is an  
462 area which is in some way unsuitable for development.

463 1.014 Setbacks

464 Each lot shall contain a suitable building site which shall  
465 lie within the following building setback lines:

466 Distance from center line of existing State  
467 maintained streets (not meeting D.O.T. standards) 60 feet

468 Distance from front right-of-way line on all  
469 other streets 30 feet

470 Distance from side property line 10 feet

471 Distance from side property line abutting street 20 feet

472 Distance from rear property line 25 feet

473 Said setback distance requirements may be reduced by the  
474 Board provided that evidence found satisfactory by the Board  
475 is submitted by the subdivider to the Board which insures  
476 that any structure erected on said site shall:

477 (a) Be adequately buffered from the adjoining  
478 street to insure safety and reduction of noise; and

479 (b) , Not impede sight distance on curves and at  
480 intersections; and

481 (c) Be adequately buffered or be a suitable  
482 distance from any structure on an adjoining lot to  
483 insure privacy and adequate circulation; and

484 (d) Not encroach on any property line.

485 1.02 Multi-Family Residential Lots

486 Each lot intended for the development of more than one  
487 dwelling unit, shall have a minimum lot size of 12,000 square

488 feet and shall have at least 3,000 square feet of lot per  
489 dwelling unit. The standards set forth in Section 1.01 of  
490 this Article, except those standards set forth in Section  
491 1.011 (a) and (b), shall also apply.

492 1.03 Commercial or Industrial Lots

493 Each lot intended for commercial or industrial purposes,  
494 shall be of a sufficient size to accomodate anticipated  
495 parking and service needs. The standards set forth in Section  
496 1.01 of this Article, except those standards set forth in  
497 Section 1.011 (a) and 1.014 shall also apply.

498 2. Easements

499 Easements shall be provided as follows:

500 2.01 Utility Easements

501 Easements for utilities shall be provided, preferable  
502 centered on rear or side lot lines, and shall be at least  
503 fifteen (15) feet in width.

504 2.02 Drainage Easements

505 An easement shall be reserved by the subdivider or  
506 otherwise provided conforming with the lines of any  
507 drainageway into which natural drainage has been diverted.  
508 Said drainageway shall be of sufficient width to carry storm  
509 water runoff from a 10 year storm.

510 2.03 Buffer Strip

511 The Board may require a buffer strip no more than ten  
512 (10) feet wide adjacent to a major street or a commercial or  
513 industrial development. The Board may also require the  
514 subdivider to arrange for, or be responsible for, the  
515 planting and maintenance of said buffer strip.

516 ARTICLE V

517 PROCEDURE FOR REVIEW AND APPROVAL OF SUBDIVISION PLATS

518 1. General

519 To secure approval of a plat, as required by this  
520 Ordinance, the subdivider shall follow procedures set forth  
521 in this Article. A minor subdivision (defined in Section 2  
522 of this Article) may be approved pursuant to Section 2 of  
523 this Article. All other subdivisions shall be approved  
524 pursuant to Sections 3, 4, 5, and 6 of this Article.



525 In the event a plat falls within one of the exceptions  
526 to the definition of a subdivision, such excepted plat shall  
527 be accompanied by a statement from the County Planning  
528 Director to that effect and shall be duly noted on the plat.

529 2. Minor Subdivisions

530 Procedures for handling applications for approval of  
531 minor subdivisions are intended to simplify the processing of  
532 routine small subdivisions with due regard to the protection  
533 of the public interest.

534 A minor subdivision is the division of a tract of land  
535 into no more than four (4) lots with access to be provided  
536 either from an existing public street or from a private minor  
537 street (defined in Article III, Section 2.03).

538 Where the subdivider intends to develop a minor  
539 subdivision he may apply for final approval through the  
540 procedures set forth in Section 2.01. Said intent shall be  
541 stated, in writing, in a form acceptable to the Board and  
542 signed by the subdivider.

543 2.01 Procedure for Approval

544 Final approval of a plat for any minor subdivision may  
545 be granted by the staff of the Board, which has been  
546 designated a planning agency by the Craven County  
547 Commissioners pursuant to North Carolina General Statute  
548 153A-321, subsequent to the following procedure.

549 (a) The subdivider shall submit two (2) copies of  
550 a surveyed plat meeting the requirements of Section 6.01  
551 of this Article. Further, he shall provide satisfactory  
552 evidence describing the following:

553 1. Methods of providing a water supply and  
554 sewage disposal to each lot, including any State or  
555 local approvals which may be needed; and

556 2. Methods of providing access to each lot  
557 including the name of any new street; and

558 3. Methods of providing for adequate  
559 drainage.

560 (b) The staff shall review said minor subdivision  
561 and shall find that it either does or does not meet the  
562 requirements of this Ordinance and what improvements, if  
563 any, will be required by this Ordinance. (See Section 5  
564 of this Article).

565 (c) If it is found that improvements will be  
566 required the subdivider shall submit three additional  
567 copies of said plat describing the plans for said  
568 improvements. Upon approval of said plans by the staff,  
569 a copy shall be forwarded to the Director of Public  
570 Safety who shall, upon completion and installation of  
571 said improvements, inspect said minor subdivision and  
572 shall certify that all improvements either have or have  
573 not been installed in accordance with said plans and the  
574 requirements of this Ordinance.

575 Note: At this stage, the subdivider may post  
576 improvement guarantees pursuant to Section 5 of this  
577 Article and receive final approval of his subdivision  
578 plat.

579 (d) Once said subdivision has been approved and it  
580 is found that no additional improvements are required,  
581 or if additional improvements are required and have been  
582 certified by the Director of Public Safety, the staff  
583 shall then certify final approval in writing on all  
584 copies of said subdivision plat. One copy shall be  
585 recorded with the minutes of the Board and the approved  
586 surveyed plat shall be returned to the subdivider who  
587 shall record said plat with the office of the Craven  
588 County Register of Deeds within 30 days of receipt.  
589 Failure on the part of the subdivider to record said  
590 plat within said 30 days shall render said approval null  
591 and void.

592 (e) Decisions of the staff may be appealed at any  
593 time by the subdivider to the Board. If an appeal is  
594 made, it shall be heard and decided by the Board at its  
595 next regularly scheduled meeting, provided that, if the  
596 Board finds that sufficient information is not available  
597 to it, the Board may continue the hearing and/or  
598 postpone its decision for no more than 32 days.

### 599 3. Subdivisions

600 Where the subdivider intends to divide a tract into 5 or  
601 more lots he shall receive final approval from the Board  
602 subsequent to procedures set forth in the remaining sections  
603 of this Article.

#### 604 3.01 Preliminary Application

605 In order to initiate discussions between the subdivider  
606 and the Board early in the design process, the subdivider  
607 shall submit for all subdivisions, other than minor  
608 subdivisions, a preliminary application to the Board or its  
609 staff prior to preparing the general development plan.

610 Said application shall include:

611 (a) A vicinity map at a scale of 1" = 400' locating  
612 said subdivision in relation to the surrounding area  
613 showing the boundaries of the entire tract(s) ultimately  
614 to be subdivided and the boundaries of that portion of  
615 the tract to be developed initially; and

616 (b) A preliminary application form containing all  
617 information required by the Preliminary Application as  
618 found in Appendix C.

619 The Board or its staff shall review said application  
620 with the subdivider so that each shall know what is  
621 expected.

### 622 3.02 Preliminary Site Plan

623 The Preliminary Site Plan shall show at least that  
624 portion of the subdivision that the subdivider plans to  
625 develop at this time.

626 If the subdivider intends to divide the entire tract  
627 into 15 or more lots he shall also submit 5 copies of a  
628 preliminary site plan at least 14 days prior to a regularly  
629 scheduled meeting of the Board at which said plan is to be  
630 considered, although said time limit may be waived at the  
631 discretion of the Board. Although not required, it is  
632 suggested that a preliminary site plan be submitted for all  
633 subdivisions to insure that preliminary plans are correct  
634 prior to preparing extensive engineering details.

635 Said preliminary site plan shall be at a scale of at  
636 least 1" = 200' and contain all information required in the  
637 Preliminary Site Plan Check list as found in Appendix D.

638 The Board shall review and either approve, approve  
639 conditionally, or disapprove each preliminary site plan.  
640 First consideration shall be at the first regularly scheduled  
641 meeting after the plan is submitted, pursuant to Section 3.01  
642 above. The Board shall take action on the preliminary site  
643 plan within thirty-two (32) days of its first consideration.

### 644 4. General Development Plan

645 For every subdivision except minor subdivisions, a  
646 General Development Plan, containing all required  
647 information, shall be submitted to the Board at least  
648 fourteen (14) days prior to the regular meeting at which said  
649 plan is to be considered although said time limit may be  
650 waived at the discretion of the Board. Six copies of said  
651 plan shall be required, provided that additional copies may  
652 be required by the Board or its staff, if needed.

653     4.01 Contents Required

654             The General Development Plan shall include the site plan  
655 (as required by Section 3.02 of this Article) in its final  
656 form as well as all other information required by the General  
657 Development Plan Checklist as found in Appendix E of this  
658 Ordinance.

659             In addition, the Board may, under the authority of the  
660 Craven County Resolution Requiring the Filing of an  
661 Environmental Impact Statement, adopted and pursuant to  
662 Chapter 113A of the North Carolina General Statutes, require  
663 an Environmental Impact Statement for any subdivision  
664 exceeding two acres in size.

665     4.02 Review Procedure

666             The Board shall review and either approve, approve  
667 conditionally, or disapprove each General Development Plan.  
668 First consideration of said plan shall be at the next  
669 regularly scheduled meeting of the Board after the plan is  
670 submitted pursuant to Section 4.01, above. The Board shall  
671 take action on the General Development Plan within thirty-two  
672 (32) days of its first consideration or at the next regularly  
673 scheduled meeting after receiving responses from the public  
674 reviewing agencies enumerated below.

675             Before final action on any General Development Plan is  
676 taken by the Board, copies of said plan shall be referred by  
677 the Board to those public agencies concerned with new  
678 development for review and comment. Said agencies shall  
679 include, but are not limited to, the following:

680             (a) District Engineer of D.O.T. regarding streets  
681 and drainage; and

682             (b) Craven County Health Department and/or other  
683 appropriate departments and agencies (See Appendix B)  
684 regarding sanitary sewer and water systems; and

685             (c) Soil Conservation Service U.S.D.A., regarding  
686 sedimentation, drainage, and the suitability of the site  
687 for development; and

688             (d) Craven County Board of Education regarding  
689 school site reservations, if any; and

690             (e) Craven County Parks and Recreation Advisory  
691 Commission regarding dedications of open space and/or  
692 recreational sites, if any.

693             Where this Ordinance requires proof of approval from  
694 other State or local agencies, the following certificates

695 (substantially consistent in form to those shown in Appendix  
696 G) shall be received by the Board prior to final approval of  
697 any General Development Plan:

698 (a) A certificate signed by the appropriate D.O.T.  
699 official stipulating that the plans for any proposed  
700 street system to be dedicated to the public outside any  
701 incorporated municipality are approved.

702 (b) A certificate signed by the appropriate  
703 municipal official stipulating that the plans for any  
704 proposed street systems to be dedicated to the public in  
705 said municipality are approved;

706 (c) A certificate(s) signed by the appropriate  
707 State and/or local official(s) (indicated in Appendix B)  
708 stipulating that the plans for water supply and/or  
709 sewage disposal systems proposed for installation meet  
710 all pertinent requirements and are approved; and

711 (d) A certificate signed by the appropriate State  
712 or local official stipulating that the erosion and  
713 sedimentation control plan is approved.

714 If the Board approves the General Development Plan, such  
715 approval shall be indicated on three copies by the following  
716 certificate signed by the Chairman or other authorized member  
717 of the Board:

718 "Certificate of Approval by the Subdivision Review Board"

719 This certifies that the Craven County Subdivision Review  
720 Board approved the General Development Plan for the  
721 \_\_\_\_\_ Subdivision at its meeting on the \_\_\_\_\_  
722 day of \_\_\_\_\_.

723 \_\_\_\_\_  
724 Date Chairman, Craven County Sub-  
725 division Review Board

726 One (1) copy shall be transmitted to the Director of  
727 Public Safety, one (1) copy shall be returned to the  
728 subdivider, and one (1) copy shall be retained by the Board.

729 If the Board disapproves or approves conditionally said  
730 plan, the reasons for such action shall be stated in writing  
731 and entered in the records of the Board. The subdivider may  
732 make changes and submit a revised plan which revision shall  
733 be submitted, reviewed, and acted upon by the Board pursuant  
734 to this section.

735 Approval of the General Development Plan shall be valid  
736 for one (1) year unless a written extension is granted by the

737 Board on or before the one (1) year anniversary of said  
738 approval. If the final plat is not submitted for approval  
739 within said one (1) year period or any period of extension,  
740 the said approval of the General Development Plan shall be  
741 null and void.

742 5. Improvements Installation or Guarantees

743 Upon approval of the General Development Plan by the  
744 Board, the subdivider may proceed with the installation of or  
745 arrangement for required improvements. Required improvements  
746 include the following:

- 747 (a) Street access to each lot; and
- 748 (b) A water supply for each lot; and
- 749 (c) A sewage disposal system (exempting septic  
750 tanks) for each lot; and
- 751 (d) Any required drainage or sedimentation control  
752 facilities; and
- 753 (e) Street markers; and
- 754 (f) Fire hydrants, where required; and
- 755 (g) Any corrective measures required pursuant to  
756 Article III, Section 1.

757 5.01. Completion of Improvements

758 Except as provided in Section 5.02, below and prior to  
759 final plat submission or approval, the subdivider shall  
760 complete, install, and dedicate all required improvements as  
761 specified on the approved General Development Plan for that  
762 portion of the subdivision to be shown on the Final Plat. The  
763 subdivider shall certify the dedication of said improvements  
764 in accordance with Section 5.032 of this Article.

765 5.02 Improvements Guarantees

766 5.021 Agreement and Guarantees Required

767 In lieu of requiring the completion, installation  
768 and dedication of all improvements prior to Final Plat  
769 approval, the Board may enter into an agreement with the  
770 subdivider whereby the subdivider shall agree to  
771 complete all required improvements as specified by the  
772 approved General Development Plan for that portion of  
773 the subdivision to be shown on the Final Plat. Once  
774 said agreement is signed by both parties, the Final Plat  
775 may be approved by the Board. To secure this agreement,

776 the subdivider shall provide, subject to the approval of  
777 the Board, either one, or a combination of, the  
778 following guarantees:

779 (a) Surety Performance Bond(s)

780 The subdivider shall obtain a performance  
781 bond(s) from a surety bonding company authorized to  
782 do business in North Carolina. The bond(s) shall  
783 be payable to the County of Craven and shall be in  
784 an amount equal to 1.25 times the entire cost, as  
785 estimated by the subdivider and proved by the  
786 Director of Public Safety, of installing all  
787 required improvements. The duration of the bond(s)  
788 shall be until such time as the improvements are  
789 accepted by the Board pursuant to Section 5.022 of  
790 this Article, but for not more than one year with  
791 the possibility of one time extension.

792 (b) Cash or Equivalent Security

793 The subdivider shall deposit cash or other  
794 instrument readily convertible into cash at face  
795 value, either with the County or in escrow with a  
796 financial institution designated as an official  
797 depository of of County. The use of any instrument  
798 other than cash shall be subject to the approval of  
799 the Board. The amount of deposit shall be equal to  
800 1.25 times the cost, as estimated by the subdivider  
801 and approved by the Director of Public Safety, of  
802 installing all required improvements.

803 If cash or other instrument is deposited in escrow  
804 with a financial institution as provided above,  
805 then the subdivider shall file with the Board an  
806 agreement between the financial institution and  
807 himself guaranteeing the following:

808 1. That said escrow account shall be held in  
809 trust until released by the Board and may not  
810 be used or pledged by the subdivider in any  
811 other matter during the term of the escrow;  
812 and

813 2. That in the case of a failure on the part  
814 of the subdivider to complete said  
815 improvements, the financial institution  
816 shall, upon notification by the Board,  
817 immediately either pay to the County of Craven  
818 all funds in said account, or deliver to the  
819 County any other instruments fully endorsed or  
820 otherwise made payable in full to the county.

821           5.022 Release of Guarantee Security

822           The Board may release a portion of any security  
823 posted pursuant to Section 5.02 of this Article, as the  
824 improvements are completed and recommended for approval  
825 pursuant to Section 5.03 of this Article. Within  
826 thirty-two (32) days after receiving the certificates  
827 required by Section 5.03 of this Article, the Board  
828 shall approve or not approve said improvements. If the  
829 Board approves said improvements, then it shall  
830 immediately release any security posted pursuant to  
831 Section 5.02 of this Article.

832           5.023 Substantial Compliance with Forms in Appendix G

833           Forms for agreements, performance bonds, letters of  
834 credit, escrow account, or cash equivalents authorized  
835 by Section 5.02 of this Article shall conform  
836 substantially to the forms prescribed in Appendix G,  
837 Sections 4, 5, and 6.

838   5.03 Inspection and Certification

839           5.031 Certificate of Improvements

840           The Director of Public Safety or other qualified  
841 person designated by the Board shall regularly inspect  
842 the construction of required improvements. Upon  
843 completion of these improvements, said inspector shall  
844 file with the Board a statement (1) certifying that said  
845 improvements have been either completed as required, or  
846 completed as required except for certain listed minor  
847 defects, and (2) recommending the approval of said  
848 improvements. (See Appendix G).

849           5.032 Subdivider's Certificates

850           Upon completion of the required improvements, the  
851 subdivider shall file with the Board the following  
852 certificates:

853           (a) Certificate of Completion and Warranty

854           The certificate of completion and warranty  
855 shall stipulate the following: (See Appendix G).

856                   1. That all improvements required by this  
857 Ordinance have been completed; and

858                   2. That these improvements are in compliance  
859 with the minimum standards specified by this  
860 Ordinance for their construction; and



861 3. That the subdivider knows of no defects  
862 from any cause and that he will warrant all  
863 improvements against defects in materials and  
864 workmanship for a period of one year after the  
865 Certificate of Completion and Warranty is  
866 executed; and

867 4. That in the event any defects are  
868 discovered in materials or workmanship in any  
869 required improvements during the warranty  
870 period, the subdivider will, at his expense,  
871 replace and/or repair said defects to the  
872 satisfaction of the Board.

873 (b) Certificate of Dedication and Maintenance

874 The certificate of dedication and maintenance  
875 shall stipulate the following (See Appendix G):

876 1. That all property and improvements are  
877 owned by the subdivider and are free of any  
878 encumbrance or lien except as enumerated; and

879 2. That the subdivider has freely dedicated  
880 or reserved all required rights-of-way,  
881 easements, streets, utilities, open spaces,  
882 or other improvements to public or private use  
883 as noted on the approved General Development  
884 Plan and has freely established minimum  
885 building setback lines; and

886 3. That the subdivider shall be responsible  
887 for the maintenance of all improvements until  
888 either said improvements are taken over the  
889 the appropriate public agency or arrangements  
890 satisfactory to the Board have been made for  
891 maintenance of said improvements.

892 Both of said certificates shall be filed with  
893 the Final Plat except when improvements guarantees  
894 are used. When said guarantees are used, said  
895 certificates shall be filed with the Board when  
896 improvements are completed and shall be forwarded  
897 to the Register of Deeds to be recorded either with  
898 the Final Plat or as separate documents.

899 5.033 Form of Certificates

900 Certificates required pursuant to Subsections  
901 5.031 and 5.032 of this Article shall conform  
902 substantially to the certificate forms prescribed in  
903 Appendix G, Sections 1, 2, and 3.

904 6. Final Plat

905 The Final Plat shall constitute only that portion of the  
906 subdivision which the subdivider proposes to record and  
907 develop at that time.

908 Once the Board has either approved all required  
909 improvement or has entered into an improvements guarantee  
910 agreement with the subdivider than the Final Plat may be  
911 approved by the Board. The subdivider shall submit four (4)  
912 copies and one (1) original of said plat to the Board no less  
913 than fourteen (14) days prior to the regular Board meeting at  
914 which it shall be considered for approval, although said time  
915 limit may be waived at the discretion of the Board. Said plat  
916 shall be submitted not more than twelve (12) months after the  
917 date on which the General Development Plan was approved,  
918 unless a written extension of this time limit is granted by  
919 the Board on or before the one-year anniversary of the  
920 approval of the General Development Plan.

921 6.01 Contents Required

922 The original of the final plat shall be prepared on  
923 linen or film by a registered land surveyor, licensed to  
924 practice in the State of North Carolina. Said plat shall  
925 conform to the provisions of North Carolina General Statute  
926 Section 47-30 as amended. Further, said plat shall be  
927 fifteen (15) inches by twenty (20) inches or twenty (20)  
928 inches by thirty (30) inches and of a scale not less than one  
929 inch equals two hundred feet (1" = 200').

930 The Final Plat shall depict or contain all information  
931 required in the Final Plat Checklist as found in Appendix F  
932 of this Ordinance.

933 6.02 Review Procedure

934 The Final Plat shall be reviewed according to the  
935 following procedure:

936 First consideration shall be at the next regularly  
937 scheduled meeting of the Board after the Final Plat is  
938 submitted pursuant to Section 6.01 of this Article. The  
939 Board shall approve or disapprove the Final Plat at its first  
940 consideration within thirty-two (32) days of its first  
941 consideration by the Board.

942 During its consideration of the Final Plat, the Board  
943 may appoint such qualified persons as it deems necessary to  
944 confirm the accuracy of the Final Plat. If substantial  
945 errors are found by the Board, the plat shall not be approved  
946 until such errors have been corrected by the subdivider.

947 If the Board approves the Final Plat, such approval  
948 shall be indicated on the original and each copy of the plat  
949 by the following certificate signed by the Chairman or other  
950 authorized member of the Board:

951 "Certificate of Approval by the Subdivision Review Board"

952 This certifies that the Craven County Subdivision Review  
953 Board approved the Final Plat of the \_\_\_\_\_  
954 Subdivision at its meeting on the \_\_\_\_\_ day of  
955 \_\_\_\_\_.

956 \_\_\_\_\_  
957 Date Chairman, Craven County Subdivision  
958 Review Board

959 If the Board disapproves the Final Plat, the Board shall  
960 state in writing its reasons for such action, specifying the  
961 provisions of this Ordinance with which the plat does not  
962 comply. One copy of this statement shall be transmitted to  
963 the subdivider within fifteen (15) days of disapproval; one  
964 copy shall be retained by the Board as a part of its  
965 proceedings, and one copy shall be sent to the Register of  
966 Deeds. If the final plat is disapproved, the subdivider may  
967 make such changes as needed to bring the plat into compliance  
968 with the provisions of this Ordinance and resubmit the same  
969 for reconsideration by the Board pursuant to the procedures  
970 set forth in this Section.

971 6.03 Effect of Plat Approval on Dedications

972 The approval of a Final Plat shall not constitute or  
973 effect the acceptance by the County of the dedication of any  
974 land, utility line, or other facility shown on said plat.

975 6.04 Disposition of Copies

976 If the Final Plat is approved by the Board, such  
977 approval shall be noted on the original tracing of said plat  
978 and on four (4) copies as required by Section 6 of this  
979 Article. Said original tracing shall be recorded by the  
980 subdivider with the Craven County Register of Deeds within  
981 thirty (30) days after final plat approval or said approval  
982 shall be null and void. The remaining prints shall be  
983 distributed as follows:

984 (a) Board of Commissions - 1 copy

985 (b) Director of Public Safety - 1 copy

986 (c) The subdivider - 1 copy

987 (d) Subdivision Review Board 1 copy

988 6.05 Resubdivison Procedures

989 For any replatting or resubdivision of land, the same  
990 procedures and requirements shall apply as prescribed in this  
991 Ordinance for an original subdivision.

992 7. Variances

993 Where a subdivider can show that strict adherence to a  
994 provision(s) of this Ordinance would, because of conditions  
995 peculiar to the site, cause an unnecessary hardship, the  
996 subdivider may submit a written application to the Board of  
997 Commissioners for a variance from said provision(s) . Said  
998 application may be delivered by the subdivider either to the  
999 Board (or its staff) or to the Board of Commissioners who  
1000 shall refer it immediately to the Board for consideration and  
1001 recommendation. The Board shall consider said application  
1002 within thirty-two (32) days of its submission and within that  
1003 time, shall recommend in writing to the Board of  
1004 Commissioners that said Commissioners either approve or not  
1005 approve the application. Said recommendation shall state the  
1006 reasoning upon which it is based. By its second regular  
1007 meeting after receipt of the Board's recommendation, the  
1008 Board of Commissioners shall either approve or not approve  
1009 said application, provided that approval of said application  
1010 shall be given only to the extent that the Board of  
1011 Commissioners finds to be absolutely necessary and not to an  
1012 extent which would violate the terms of this Ordinance. If  
1013 the application is approved and a variance granted by the  
1014 Board of Commissioners, said approval and the basis therefor  
1015 shall be entered in the minutes of the Commissioners.

1016 8. Amendments

1017 The Board of Commissioners may from time to time amend  
1018 the terms of this Ordinance, pursuant to North Carolina  
1019 General Statute 153A-323, but no amendment shall become  
1020 effective unless it shall have been proposed by, or shall  
1021 have been submitted to, the Board for review and  
1022 recommendation.

1023 ARTICLE VI

1024 SUBDIVISION REVIEW BOARD

1025 1. Board Established

1026 There is hereby established the Craven County  
1027 Subdivision Review Board, designated by the Craven County

1028 Commissioners as a planning agency pursuant to North Carolina  
1029 General Statute 153A-321, and known in this Ordinance as the  
1030 "Board".

1031 2. Powers and Duties

1032 Pursuant to the requirements and procedures set forth in  
1033 this Ordinance, the Board shall have the following powers and  
1034 duties:

1035 (a) To consider and review all proposed  
1036 subdivisions of land within the subdivision jurisdiction  
1037 of this Ordinance; and

1038 (b) To approve or disapprove said proposed  
1039 subdivisions; and

1040 (c) To enforce the provisions of this Ordinance  
1041 through legal action, if necessary; and

1042 (d) To review and make recommendations to the  
1043 Board of Commissioners regarding proposed variances from  
1044 and amendments to the Ordinance; and

1045 (e) To enter into contracts and agreements  
1046 authorized in this Ordinance and to enter into such  
1047 other contracts and agreements as the Board of  
1048 Commissioners may approve.

1049 3. Membership

1050 The Board shall be appointed by the Board of  
1051 Commissioners, and shall consist of seven members. Said  
1052 members shall be appointed from the following groups or  
1053 classes:

1054 (a) Three citizens-at-large; and

1055 (b) Four experts whose primary field of employment  
1056 or area of expertise in any of the following: engineer,  
1057 real estate developer, architect, finance, real estate  
1058 sales, water and air quality, surveyor, land planner or  
1059 landscape architect.

1060 4. Terms

1061 Three members of the Board shall be appointed for an  
1062 initial term expiring \_\_\_\_\_, and four members  
1063 of the Board shall be appointed for an initial term expiring  
1064 \_\_\_\_\_. Thereafter each term shall be for a  
1065 period of four years and shall expire on  
1066 \_\_\_\_\_. Each member shall serve until a  
1067 successor is appointed. Vacancies shall be filled by the

1068 Board of Commissioners by appointment for the duration of any  
1069 unexpired term. No person may be appointed to serve more  
1070 than two consecutive terms.

1071 5. Chairman

1072 The Board of Commissioners shall appoint one of the  
1073 members of the Board to serve as Chairman. The initial term  
1074 of the Chairman shall be through \_\_\_\_\_.  
1075 Thereafter, the Board of Commissioners shall appoint the  
1076 Chairman for a period of two years to expire  
1077 \_\_\_\_\_. No member may be appointed to  
1078 serve more than two consecutive terms as Chairman. A vacancy  
1079 in the position of Chairman shall be filled by appointment of  
1080 one of the members of the Board by the Board of Commissioners  
1081 to fill the unexpired term.

1082 The Board shall select its own Vice-Chairman to preside  
1083 or act in the event of the absence or incapacity of the  
1084 Chairman. The provisions of the preceding paragraph with  
1085 respect to the term and succession of the Chairman shall also  
1086 apply to the Vice-Chairman.

1087 6. Meetings

1088 The Board shall establish a regular time and place to  
1089 meet, provided that it shall meet at least once a month.  
1090 Either the Chairman or Vice-Chairman may call special  
1091 meetings as he deems necessary upon two days actual notice,  
1092 oral or written. A quorum of the members of the Board must be  
1093 present in order to transact business, and a majority of the  
1094 members shall constitute a quorum. All meetings shall be  
1095 open to the public.

1096 7. Attendance at Meetings by Board Members

1097 If any member is absent from three consecutive regular  
1098 meetings which are unexcused by the Chairman of the Board,  
1099 then said Chairman shall notify the Board of Commissioners.  
1100 Upon receipt of said notification, the Board of Commissioners  
1101 may declare a vacancy on the Board and may appoint a new  
1102 member for the remainder of the term.

1103 8. Conflicts by Board Members

1104 Any Board member shall be disqualified from considering,  
1105 reviewing, or voting on any proposed subdivision in which he  
1106 has a direct or indirect interest. A member may be  
1107 disqualified only by Board action in which the member whose  
1108 qualification is in question shall not vote.

1109 9. Voting

1110 All actions of the Board shall be upon majority vote of  
1111 the members present at the meeting who are qualified to vote  
1112 thereon.

1113 10. Appointments

1114 The following persons are appointed to the Board for the  
1115 term and group indicated:

1116	<u>Name</u>	<u>Term Expiring</u>	<u>Group or Class</u>
1117	_____	_____	_____
1118	_____	_____	_____
1119	_____	_____	_____
1120	_____	_____	_____
1121	_____	_____	_____
1122	_____	_____	_____
1123	_____	_____	_____

1124 \_\_\_\_\_ is hereby appointed as the initial  
1125 Chairman of the Board.

1126 ARTICLE VII

1127 LEGAL PROVISIONS

1128 1. Criminal and Civil Procedures

1129 From the effective date of this Ordinance, any person  
1130 who, being the owner or agent of the owner of any land located  
1131 within the jurisdiction of this Ordinance, either subdivides  
1132 his land in violation of this Ordinance or transfers or sells  
1133 land by reference to, exhibition of, or any other use of a  
1134 plat showing a subdivision of the land before the plat has  
1135 been approved and recorded pursuant to this Ordinance, shall  
1136 be guilty of a misdemeanor and shall be subject to a fine  
1137 and/or imprisonment as provided in North Carolina General  
1138 Statute 14-4.

1139 The County may enjoin any subdivision, transfer, or sale  
1140 of land not made in compliance with this Ordinance.

1141           The description by metes and bounds in the instrument of  
1142 transfer or other document used in the process of selling or  
1143 transferring land shall not exempt the transaction from this  
1144 Ordinance.

1145   2.   Separability

1146           Should any section or provision of this Ordinance be  
1147 found by a court of competent jurisdiction to be  
1148 unconstitutional or invalid, such decision shall not affect  
1149 the validity of the Ordinance as a whole or any part thereof  
1150 other than the part so found to be unconstitutional or  
1151 invalid.

1152   3.   Registration of Ordinance

1153           In accordance with Article 153A-332 of the General  
1154 Statutes of North Carolina, the Board of Commissioners shall  
1155 file a copy of this Ordinance for registration with the  
1156 Register of Deeds for Craven County.

1157   4.   Abrogation

1158           This Ordinance shall neither repeal, abrogate, annul,  
1159 impair, not interfere with any existing subdivisions, the  
1160 plats of which are properly recorded in the Office of the  
1161 Register of Deeds prior to the effective date of this  
1162 Ordinance nor with existing easements, covenants, deed  
1163 restrictions, agreements, or permits previously adopted or  
1164 issued pursuant to law prior to the effective date of this  
1165 Ordinance.

1166   5.   Effect on Existing Legislation

1167           Where this Ordinance conflicts with existing ordinances,  
1168 statutes, or regulations effective in the jurisdiction of  
1169 this Ordinance and enacted by the County, State, or Federal  
1170 governments or their agencies, then the ordinance, statute,  
1171 or regulation requiring the higher standard shall apply.



1172 6. Effective Date

1173 This Ordinance shall become effective immediately upon  
1174 its adoption.

1175 BOARD OF COMMISSIONERS FOR THE  
1176 COUNTY OF CRAVEN

1177 By: \_\_\_\_\_  
1178 Chairman

1179 APPROVED AS TO FORM:

1180 \_\_\_\_\_  
1181 County Attorney

1182 DATE: \_\_\_\_\_

APPENDIX B: APPROVAL OF WATER AND SEWAGE DISPOSAL SYSTEMS

SYSTEM TYPE	WATER SYSTEMS		SANITARY SEWER SYSTEMS	
	DEFINITIONS	REGULATORY AGENCY	DEFINITIONS	REGULATORY AGENCY
Individual Systems	Any well, spring, stream or other source used to supply a single connection.	Craven County Health Department.	Any septic tank or privy serving a single source with an effluent discharge of less than 3,000 gal. per day.	Craven County Health Department.
Community Systems	Any water system serving from two to nine connections, inclusively.	Craven County Health Department.	Any package plant or other sewage treatment facility which serves sources not on septic tanks or not connected to a public system.	Division of Environmental Management, NC Department of Natural and Economic Resources.
	Any water system serving greater than nine connections but not owned or operated by any governmental body.	Environmental Health Section, Division of Health Services, N. C. Department of Human Resources.		
Public Systems	Any water system owned and operated by Craven County, any municipality, or water district.	Governing body operating said system. Environmental Health Section, Department of Human Resources.	Any sewage disposal system owned and operated by Craven County, any municipality or sanitary sewage districts.	Governing body operating said system. Division of Environmental Management, N. C. Department of Natural and Economic Resources.

# APPENDIX C: PRELIMINARY APPLICATION FORM

1. Identification:  
 Subdivision Name \_\_\_\_\_ Date Submitted \_\_\_\_\_  
 Subdivider's Name \_\_\_\_\_ Address \_\_\_\_\_  
 Telephone \_\_\_\_\_  
 Location: \_\_\_\_\_

The following information is related to the entire tract(s) owned and/or expected to be developed in the vicinity by the subdivider:

2. Tracts to be developed:  
 Deed Reference(s) \_\_\_\_\_  
 Tax Reference(s) \_\_\_\_\_  
 Size of tract(s) \_\_\_\_\_  

_____ Residential _____	_____ Industrial _____
_____ Commercial _____	_____ Public or Community _____
_____ Other: Specify _____	_____ Facilities _____

Describe each (include acreage, typical lot size(s), and the extent to which the subdivider intends to develop).

3. To be developed in stages? No \_\_\_\_\_ Yes \_\_\_\_\_  
 If yes, describe initial stage. \_\_\_\_\_

Area to be developed \_\_\_\_\_ acres      Number of lots \_\_\_\_\_  
 Typical lot size \_\_\_\_\_  
 Proposed development \_\_\_\_\_

4. Expected Method of Water Supply      Expected Method of Sewage Collection  

_____ Public _____ Source	_____ Public _____ Source
_____ Community _____ # Connections	_____ Community _____ # Connections
_____ Individual _____	_____ Individual _____

5. Expected Method of Street Access  
 \_\_\_\_\_ Existing Public Street  
 \_\_\_\_\_ New State Maintained Street(s)  
 \_\_\_\_\_ New Municipal Street(s): Municipality \_\_\_\_\_  
 \_\_\_\_\_ Private Residential Street(s)

Approximate linear feet of new streets to be expected in initial stage:

6. Amount of land to be disturbed in initial stage: \_\_\_\_\_

7. Describe any potential hazard areas:

\_\_\_\_\_ Flood Plain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Slide Area \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Highly Erodable Soils \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Poorly Drained Areas \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Other \_\_\_\_\_  
\_\_\_\_\_

I hereby certify that the above information is accurate:

Signed: \_\_\_\_\_  
Subdivider

COMMENTS:

## APPENDIX D: PRELIMINARY SITE PLAN CHECKLIST

The following information shall be contained in the preliminary site plan prior to consideration by the Board:

NAME OF SUBDIVISION \_\_\_\_\_ Date Submitted \_\_\_\_\_  
LOCATION \_\_\_\_\_  
SUBDIVIDER \_\_\_\_\_ ADDRESS \_\_\_\_\_ TEL. \_\_\_\_\_  
SURVEYOR \_\_\_\_\_ ADDRESS \_\_\_\_\_ TEL. \_\_\_\_\_  
ENGINEER \_\_\_\_\_ ADDRESS \_\_\_\_\_ TEL. \_\_\_\_\_

### CHECKLIST:

#### A. Base Information:

- \_\_\_\_\_ Title Block - Subdivision name, subdivider's name and address, North Arrow, scale (min. 1"=200') denoted graphically and numerically, date of plat preparation, and township, county, and state in which subdivision is located.
- \_\_\_\_\_ The boundaries of the tract or portion thereof to be subdivided, distinctly and accurately represented with all bearings and distances shown.
- \_\_\_\_\_ Property lines and owner's names of adjoining properties and/or adjoining subdivisions of record.
- \_\_\_\_\_ Significant natural features including wooded areas, marshes, major rock outcrops, ponds or lakes, streams, or other natural features affecting the site.
- \_\_\_\_\_ Existing physical features including buildings, railroads, easements, bridges, culverts, storm drains, streets, power lines, or utility lines both on the land to be subdivided or immediately adjacent to said land which will either effect or be effected by said subdivision.
- \_\_\_\_\_ Topographical contour lines at five foot elevation intervals.

#### B. Proposed Lot Layout:

- \_\_\_\_\_ Proposed lot and street right-of-way lines, building setback lines, easements, lot and block numbers, approximate dimensions, designation of any dedications or reservations to be made, and proposed use of land if other than single family residences.

#### C. Proposed Street Layout:

- \_\_\_\_\_ Sketch view of proposed streets showing pavement widths, curbing if any, street names with location of street sign, and proposed street names.

D. Proposed Sewerage and Water System:

- \_\_\_\_\_ Sketch view of proposed water distribution system, if any, and sanitary sewerage system if any. Sketch should show approximate line sizes, approximate location of any wells, man holes, fire hydrants, or treatment facilities, and location of connections with existing systems.

E. Proposed Drainage System:

- \_\_\_\_\_ Sketch view of any drainage facilities including any open drainageways, storm sewers, culverts, retaining ponds, or areas where water is to be diverted through grading. Sketch should show approximate dimensions of any facilities.

F. Other Improvements:

- \_\_\_\_\_ Proposed location and description of any other improvements including, but not limited to, riding trails, sidewalks or pedestrian ways, reserved open space or recreational facilities, school sites, commercial areas, or buffer strips.

## APPENDIX E: GENERAL DEVELOPMENT PLAN CHECKLIST

The following information shall be included with the general development plan prior to consideration by the Board:

NAME OF SUBDIVISION _____	DATE SUBMITTED _____
LOCATION _____	ADDRESS _____ TEL. _____
SUBDIVIDER _____	ADDRESS _____ TEL. _____
SURVEYOR _____	ADDRESS _____ TEL. _____
ENGINEER _____	ADDRESS _____ TEL. _____

### CHECKLIST:

#### A. Site Plan:

\_\_\_\_\_ A final site plan containing all information required in Appendix D substantially conforming to the approved preliminary site plan where said plan was required. All improvements to be shown with final dimensions.

#### B. Sewer and Water Plans:

\_\_\_\_\_ Final plans and specifications containing all data, calculations, and information required by the appropriate agencies (See Appendix B) and necessary to construct said systems.

#### C. Street Plans:

\_\_\_\_\_ Final plans and specifications for the proposed street system containing all data, calculations, and information required by D.O.T. or the County Engineer and necessary to construct said street.

#### D. Storm Drainage:

\_\_\_\_\_ A final drainage and sedimentation plan containing all data, calculations, and information required by appropriate State or local officials or necessary to describe a drainage system which can meet the objectives set forth in Article 3 Sections 5 and 6 of this Ordinance.

#### E. Environmental Impact Statement:

\_\_\_\_\_ An Environmental Impact Statement, if required, pursuant to Article 5 Section 4.01 of this Ordinance.

#### F. Certificates:

(Submitted where required, prior to Board approval - See Article V)

- \_\_\_\_\_ 1. Sewer and Water System - signed by appropriate officials,
- \_\_\_\_\_ 2. Public Streets - signed by District Engineer of D.O.T.
- \_\_\_\_\_ 3. Municipal Streets - signed by appropriate municipal official,
- \_\_\_\_\_ 4. Erosion and Sedimentation Control - signed by appropriate officials.

## APPENDIX F: FINAL PLAT CHECKLIST

The following requirements must be met prior to any review of the final plat by the Board:

### CHECKLIST:

#### ADMINISTRATIVE REQUIREMENTS

- \_\_\_\_\_ Notice that improvements guarantee has been accepted or certification of improvements has been granted;
- \_\_\_\_\_ Submitted within twelve (12) months of general development plan approval, unless written extension is granted by the Board;
- \_\_\_\_\_ Final plat is either 15 by 20 inches or 20 by 30 inches and is a scale of at least 1" = 200';
- \_\_\_\_\_ Five (5) copies submitted; 1 reproducible, 4 copies;

Date Final Plat Submitted \_\_\_\_\_

Date General Development Plan Approved \_\_\_\_\_

NAME OF SUBDIVISION \_\_\_\_\_

LOCATION \_\_\_\_\_

OWNER \_\_\_\_\_ ADDRESS \_\_\_\_\_ TEL. \_\_\_\_\_

SURVEYOR \_\_\_\_\_ ADDRESS \_\_\_\_\_ TEL. \_\_\_\_\_

The following information must be submitted with, or be contained in, the Final Plat prior to consideration by the Board:

- \_\_\_\_\_ Subdivision name, North Arrow, scale denoted graphically and numerically, date of plat preparation, and township and county and state in which the subdivision is located;
- \_\_\_\_\_ The exact boundary lines of the tract to be subdivided fully dimensioned by lengths and bearings, and the location of intersecting boundary lines of adjoining lands;
- \_\_\_\_\_ The names and deed references of owners of adjoining properties and adjoining subdivisions of record (proposed and under review);
- \_\_\_\_\_ All visible and apparent rights-of-way, watercourses, utilities, roadways, and other such improvements shall be accurately located where crossing or forming any boundary line of the property shown, and locating offset or traverse lines shall be plotted in broken lines with azimuths or courses and distances shown on the map;



- \_\_\_\_ Sufficient engineering data to determine readily and reproduce on the ground every straight or curved boundary line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles, and tangent curved property lines that are not the boundary of curved streets;
- \_\_\_\_ The accurate locations and descriptions of all monument markers, and control points;
- \_\_\_\_ The blocks numbered consecutively throughout the entire subdivision and the lots numbered consecutively throughout each block;
- \_\_\_\_ Street names and right-of-way lines of all streets and the location and width of all adjacent streets and easements. Designation shall be made as to whether said streets are to be designated as public or private; if the street is designated as a private street, the developer and seller shall include in the disclosure statement an explanation of the consequences and responsibility as to maintenance of a private street and shall fully and accurately disclose the party or parties upon whom responsibility for construction and maintenance of such street or streets shall rest and shall further disclose that the street or streets will not be constructed to minimum standards, sufficient to allow their inclusion on the State Highway System for maintenance in compliance with North Carolina General Statute 136-102.6.
- \_\_\_\_ The location and dimensions of all rights-of-way, utility or other easements, riding trails, natural buffers, pedestrian or bicycle paths, and areas to be dedicated to public use with the purpose of each stated;
- \_\_\_\_ The name(s), address(s) and telephone number(s) of the owner(s), registered surveyor(s), responsible for the subdivision and the registration number(s) and seal(s) of the registered surveyor(s).

#### REQUIRED CERTIFICATES

Certificate of Survey and Accuracy signed by the Surveyor:

Date

\*Certificate of Completion and Warranty signed by the Subdivider;

\_\_\_\_\_  
Date  
\*Certificate of Dedication and Maintenance signed by the  
Subdivider;

\_\_\_\_\_  
Date  
\*Certificate of Improvements signed by the Director of  
Public Safety;

\_\_\_\_\_  
Date  
Certificate of Approval of the Final Plat signed by  
Chairman of the Board.

\_\_\_\_\_  
Date

(\*To appear on Final Plat if improvements are completed prior  
to  
final plat review or as separate document if guarantees are  
used.)

See 3B Supp. of N.C.G.S.

APPENDIX G: ADMINISTRATIVE FORMS

1. Certificate of Improvements
2. Certificate of Completion and Warranty
3. Certificate of Dedication and Maintenance
4. Improvements Guarantee Agreement
5. Performance Bond
6. Irrevocable Letter of Credit
7. Certificate of Approval of Water Supply and Sewage Disposal System(s)
8. Certificate of Survey and Accuracy
9. Certificate of Approval by Division of Highways (public streets)

1. CERTIFICATE OF IMPROVEMENTS

The following improvements have been completed by \_\_\_\_\_  
name of subdivider  
in \_\_\_\_\_ Subdivision.

List Completed Improvements:

Said improvements have been inspected by my office, have been built according to the standards set forth in the Craven County Subdivision Ordinance and are constructed as prescribed by the approved General Development Plan. To my knowledge said improvements (contain no defects) (contain only the following minor defects) and should be approved.

List any known defects:

Date \_\_\_\_\_

\_\_\_\_\_  
Director of Public Safety for the  
County of Craven

2. CERTIFICATE OF COMPLETION AND WARRANTY

The undersigned certifies that he is an officer, to-wit: the (title of Officer) \_\_\_\_\_ of (name of corporation) \_\_\_\_\_, a corporation, and that he has been authorized to execute this Certificate pursuant to authority granted by resolution of the Board of Directors of (name of corporation) \_\_\_\_\_, copy of which resolution is attached hereto.

(name of corporation) \_\_\_\_\_, through the undersigned, hereby certifies that the following improvements required under the authority of the Craven County Subdivision Ordinance have been installed as specified by the approved General Development Plan for \_\_\_\_\_ Subdivision and that said improvements are in compliance with the minimum standards specified by said Ordinance and by the Craven County Subdivision Review Board for the construction of said improvements:

List Completed Improvements:

(name of corporation), through the undersigned, further certifies that it knows of no defects from any cause and will fully warrant said improvements to be free from defects in material and workmanship for a period of one year from this date. In the event defects are discovered in any of said improvements during said period, (name of corporation) will replace and/or repair the defective improvements at its own expense.

(name of corporation)

Attest: \_\_\_\_\_ by: \_\_\_\_\_  
Secretary

Date: \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF CRAVEN

I, \_\_\_\_\_, Notary Public of said State and County certify that \_\_\_\_\_ personally came before me this day and acknowledged that (s)he is \_\_\_\_\_ Secretary of \_\_\_\_\_, a corporation, and that, by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its \_\_\_\_\_ President, sealed with its corporate seal, and attested by \_\_\_\_\_ self as its \_\_\_\_\_ Secretary.

Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

(This certificate may be appropriately modified for execution by a subdivider who is not incorporated.)

3. Certificate of Dedication and Maintenance

The undersigned certifies that he is an officer, to-wit: the (title of Officer) of (name of corporation), a corporation, and that he has been authorized to execute this Certificate pursuant to authority granted by resolution of the Board of Directors of (name of corporation), copy of which resolution is attached hereto.

(name of corporation), through the undersigned hereby certifies that all property and improvements described on the final plat for Subdivision are owned by (name of corporation) and are free of any encumbrances or liens except as follows:

List any encumbrance or lien:

(name of corporation), through the undersigned, freely dedicates all required rights-of-way, easements, streets, utilities, open space, and other improvements to public or private use as noted on said Final Plat and freely establishes minimum building setback lines as required by the Craven County Subdivision Ordinance. (name of corporation) further (assumes full responsibility for) (has made arrangements suitable to the Craven County Subdivision Review Board for) the maintenance of said improvements which (assumption of responsibility) (arrangements) shall remain in effect until such time as said improvements are accepted for maintenance by an appropriate public body.

(name of corporation)

By \_\_\_\_\_

Attest: \_\_\_\_\_  
Secretary

Date: \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF CRAVEN

I, \_\_\_\_\_, Notary Public of said State and County certify that \_\_\_\_\_ personally came before me this day and acknowledged that (s)he is \_\_\_\_\_ Secretary of \_\_\_\_\_, a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its \_\_\_\_\_ President, sealed with its corporate seal, and attested by \_\_\_\_\_ self as its \_\_\_\_\_ Secretary.

Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

(This certificate may be appropriately modified for execution by a subdivider who is not incorporated.)

4. Improvements Guarantee Agreement

STATE OF NORTH CAROLINA

AGREEMENT

COUNTY OF CRAVEN

THIS AGREEMENT MADE AND ENTERED INTO this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ by and between \_\_\_\_\_ (Subdivider) hereinafter known as "the Subdivider", and the Craven County Subdivision Review Board, hereinafter known as "the Board", which Board is also a duly constituted agency of the County of Craven.

W I T N E S S E T H:

WHEREAS, the Subdivider is attempting to secure from the Board approval of a Final Plat of a proposed subdivision to be known as the \_\_\_\_\_ Subdivision to be located in Craven County, North Carolina; and

WHEREAS, a County ordinance entitled Subdivision Ordinance for the County of Craven, as adopted by the Board of Commissioners for the County of Craven on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, (and as subsequently amended), requires the completion of certain improvements prior to Final Plat approval by the Board; and

WHEREAS, said Ordinance also allows the Board, at its discretion, to permit the Subdivider to (post a surety bond) (deposit cash or other instrument readily convertible into cash at face value) with the County of Craven through the Board to guarantee the completion of said required improvements; and

WHEREAS, the Board desires to approve said Final Plat and, in lieu of requiring completion of all improvements prior to said approval, will accept from the Subdivider the filing of a (surety performance bond with \_\_\_\_\_ Company as surety) (letter of credit from the \_\_\_\_\_ Bank) (other) to guarantee and secure completion of said improvements.

IT IS THEREFORE, AGREED AS FOLLOWS:

1. The Subdivider will, on or before the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, complete as required the following improvements in the \_\_\_\_\_ Subdivision:  
(here detail all improvements to be completed)

2. The Subdivider shall file with the County of Craven through the Board a (enter here the type of document to be filed) securing and guaranteeing completion of said improvements by the required date; and
3. When the (enter here the type of document to be filed) is filled and other requirements of said Ordinance are met, then the Board will approve the Final Plat of the \_\_\_\_\_ Subdivision.

The Craven County Subdivision Review Board has, by appropriate Board action, caused this Agreement to be executed by its Chairman or other authorized member and attested by the Clerk to the Board, and the \_\_\_\_\_ (name of company) has, by appropriate action of its Board of Directors, caused this Agreement to be executed by its \_\_\_\_\_ and attested by its \_\_\_\_\_ Secretary under corporate seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

Craven County Subdivision Review Board

By \_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
(name of corporation)

By \_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, Notary Public for said State and County  
certify that \_\_\_\_\_ personally came before me this day and  
acknowledged that (s)he is \_\_\_\_\_ Secretary of \_\_\_\_\_,  
a corporation, and that authority duly given and as the act of the corporation,  
the foregoing instrument was signed in its name by its \_\_\_\_\_  
President, sealed with its corporate seal, and attested by \_\_\_\_\_ self as its  
\_\_\_\_\_ Secretary.

Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

(This Agreement may be appropriately modified for execution by a Subdivider  
who is not incorporated.)



5, Performance Bond

STATE OF NORTH CAROLINA

PERFORMANCE BOND

COUNTY OF CRAVEN

KNOW ALL MEN BY THESE PRESENTS that we, \_\_\_\_\_  
(name of Subdivider) \_\_\_\_\_, as Principal, and \_\_\_\_\_  
(the name of the Bonding Company) \_\_\_\_\_ as surety, are held and firmly  
bound unto the County of Craven, a political subdivision of the State of  
North Carolina, and a body politic and corporate, in the sum of \$ \_\_\_\_\_,  
lawful money of the United States of America, for the payment of which, well  
and truly to be made, we, and each of us, bond ourselves and each of us, our  
successors and assigns, jointly and severally, by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH THAT:

WHEREAS, the Principal has submitted a Final Plat of the subdivision  
known as \_\_\_\_\_ Subdivision, located in Craven  
County, North Carolina, for approval by the Craven County Subdivision Review  
Board, an agency of the County of Craven, which approval is a condition precedent  
to the right of said Principal to have said final plat registered in the Office  
of the Register of Deeds for Craven County; and

WHEREAS, the Craven County Subdivision Review Board is unable, pursuant  
to County ordinance, to approve said plat of said Subdivision for registration  
until all required improvements are completed or until a guarantee of comple-  
tion of said required improvements is filed with the County of Craven through  
said Subdivision Review Board; and

WHEREAS, the Craven County Subdivision Review Board and the Principal  
have this date entered into an Agreement by which said Board will approve  
Principal's final plat for the \_\_\_\_\_ Subdivision

prior to the completion of required improvements, and the Principal has agreed to file a Surety Bond in the amount of \$\_\_\_\_\_ securing to the County of Craven, through said Board, the actual completion of said required improvements on or before the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, which Agreement is attached hereto as Exhibit A and made a part hereof; and

WHEREAS, the improvements required and agreed to be completed are set forth in said Exhibit A.

NOW THEREFORE, if the Principal shall fully comply with all the terms hereof, including the requirements of that Agreement attached hereto as Exhibit A and by which the Principal agrees to complete certain improvements on or before the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, then this obligation shall be null and void; otherwise, it shall remain in full force and effect.

IN WITNESS WHEREOF the said Principal and Surety have hereunto set their hands and seals this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Principal  
By \_\_\_\_\_ (SEAL)  
President

Attest:

\_\_\_\_\_

\_\_\_\_\_  
Surety  
\_\_\_\_\_  
Attorney-in-Fact (SEAL)  
(Power of Attorney attached)

6. Irrevocable Letter of Credit

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

IRREVOCABLE LETTER OF CREDIT

NO. \_\_\_\_\_

\_\_\_\_\_  
(Name of Bank)

Address: (including branch, if any)

Date: \_\_\_\_\_

TO: THE COUNTY OF CRAVEN  
c/o BOARD OF COMMISSIONERS FOR  
THE COUNTY OF CRAVEN  
CRAVEN COUNTY COURTHOUSE  
NEW BERN, NORTH CAROLINA 28560

Commissioners:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ \_\_\_\_\_ for the account of \_\_\_\_\_ hereinafter know as "Customer". When presented for negotiation, drafts must be accompanied by the signed statement of the Chairman of the Craven County Subdivision Review Board that drawing is due to default or failure to perform by Customer, the following improvements in the \_\_\_\_\_ Subdivision on or before the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_:

(Here list the required improvements)

The term of this irrevocable credit is either through and including the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, or upon written notice from the Chairman of the Craven County Subdivision Review Board that the required improvements have been timely completed, whichever is earlier.

Acting through the Chairman of the Craven County Subdivision Review Board, you will notify us when either of the following occurs:

1. The required improvements have been timely completed and the credit may be released; or
2. The Customer has failed to perform or is in default thereunder.

All drafts drawn hereunder must be marked as follows:

---

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof, and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made.

This Letter of Credit shall be transferrable and/or assignable.

This Letter of Credit, except as otherwise expressly provided herein, is governed by the Uniform Commercial Code in force in the State of North Carolina on the date hereof.

Very truly yours,

\_\_\_\_\_  
(Name of Bank)

By: \_\_\_\_\_  
(Authorized Signature)

7. Certificate of Approval of Water Supply and Sewage Disposal System

I hereby certify that the water supply and sewage disposal systems  
(installed) (proposed for installation) and specified on the General  
Development Plan for \_\_\_\_\_ Subdivision  
meet all pertinent State and local requirements and are hereby approved.

\_\_\_\_\_  
(To be signed by the appropriate State  
or local official(s) - See Appendix B)

\_\_\_\_\_  
(Agency)

DATE: \_\_\_\_\_

8. Certificate of Survey and Accuracy

(For purposes of this Ordinance, the following shall constitute substantial compliance with North Carolina General Statute 47-30, as amended.)

I hereby certify that this map was (drawn by me) (drawn under my supervision) from (an actual survey made by me) (an actual survey made under my supervision) (a deed description recorded in the Office of the Register of Deeds for Craven County in Deed Book \_\_\_\_\_ at page \_\_\_\_\_, Deed Book \_\_\_\_\_ at page \_\_\_\_\_, etc.) (other); that the error of closure as calculated by latitudes and departures is 1:\_\_\_\_; that the boundaries not surveyed are shown as broken lines plotted from information found in deed descriptions recorded in said Register's Office in Deed Book \_\_\_\_\_ at page \_\_\_\_\_; that this map was prepared in accordance with N. C. G.S. 47-30, as amended.

Witness my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_.

\_\_\_\_\_  
Registered Surveyor or Professional  
Engineer

\_\_\_\_\_  
License or Registration Number

9. Certificate of Approval by Division of Highways  
(Public Streets)

The form for this Certificate is provided by a District Engineer of the Division of Highways of the North Carolina Department of Transportation.

NOAA COASTAL SERVICES CTR LIBRARY



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